

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :
: :
v. : : 1:24-cr-352-13
IVANGIANNI VALENZUELA :
GONZALEZ : :

ORDER

This matter is before the court for review of the Recommendation ("Recommendation") filed on January 28, 2025, by the United States Magistrate Judge. (Doc. 311.) The Recommendation was electronically served via CM/ECF on the parties to this action on January 28, 2025. Defendant filed timely objections to the Recommendation. (Doc. 317.)

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate

Judge's Recommendation. This court therefore adopts the Recommendation.

In his objection, Defendant does not present additional evidence. Instead, Defendant argues that release is appropriate on the facts presented. In addition to the Pretrial Services Report, prepared for the District of Arizona, and the Addendum prepared in this district, (Doc. 216), the Magistrate Judge held a hearing on January 23, 2025, (Doc. En. 296). Tyler Cheek, a Task Force officer from the Moore County Sheriff's Department, testified. This court has conducted a de novo review of the entire file, including the audio recording of the January 23, 2025 hearing.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 311), is **ADOPTED**. **IT IS FURTHER ORDERED** that the motion for detention by the United States is **GRANTED** and Defendant shall be detained pending disposition of the instant charges under 18 U.S.C. § 3142(e) (1).

IT IS FURTHER ORDERED that Defendant is committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending

appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel.

IT IS FURTHER ORDERED that upon order of a United States court or on request of an attorney for the Government, the person in charge of the corrections facility is directed to deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

This the 5th day of February, 2025.

William L. Osten, Jr.
United States District Judge